

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 05-cr-67-1
JOSEPH SERRANO	:	
	:	

**ORDER**

AND NOW, this 8<sup>th</sup> day of September 2009, it is **ORDERED** that Defendant's Motion for Relief from Final Judgment (Doc. # 57) is **GRANTED** in part, and **DENIED** in part.

- Defendant's motion to vacate or set aside the July 15, 2008 (Doc. #55) and July 23, 2008 (Doc. #56) orders is **DENIED**.
- Defendant's motion to recharacterize his August 13, 2007 motion (Doc. #50) as a petition for habeas corpus under 28 U.S.C. § 2255 is **GRANTED**, *nunc pro tunc* to when it was filed.
- I grant Defendant leave to amend his August 13, 2007 motion. If he chooses to do so, he shall file an amended version no later than **October 9, 2009**.

  
ANITA B. BRODY, J.

*xc: Speedy Trial*

Copies VIA ECF on \_\_\_\_\_ to:

Copies MAILED on 09-10-2009 to:  
*Joseph Serrano, DEPT.*

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